

WEDNESDAY, MAY 10, 1989

FORTY-FOURTH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker Murray.

The proceedings were opened with prayer by J. Lynwood Mathis, Highland Heights Church, Smyrna, Tennessee.

Representative Fred Hobbs led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray
-- 97.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

The Speaker announced that Representative Clyde Webb was excused because of personal business.

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REPORTS FROM STANDING COMMITTEES

COMMERCE

May 9, 1989

MR. SPEAKER: Your Commerce Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 200 (as amended), 755 and 1399 (as amended).

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 1255 be referred to the Finance, Ways and Means Committee.

RHINEHART, Chairman.

Under the rules, House Bill(s) No(s). 200 (as amended), 755, and 1399 (as amended); was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 1255 to the Finance, Ways and Means Committee.

EDUCATION

May 9, 1989

MR. SPEAKER: Your Education Committee begs leave to report that we have carefully considered and recommend for adoption: House Joint Resolution(s) No(s). 350 (as amended); and for concurrence: Senate Joint Resolution(s) No(s). 120 (as amended), 121 (as amended), 122 (as amended) and 154.

We further recommend that, pursuant to Rule No. 72, House Bill(s) No(s). 602 (as amended), 799 (as amended) and 886 (as amended) be referred to the Finance, Ways and Means Committee.

DAVIDSON, Chairman.

Under the rules, House Joint Resolution(s) No(s). 350 (as amended); and Senate Joint Resolution(s) No(s). 120 (as amended), 121 (as amended), 122 (as amended) and 154; was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72 the Speaker referred House Bill(s) No(s). 602 (as amended), 799 (as amended) and 886 (as amended) to the Finance, Ways and Means Committee.

FINANCE, WAYS AND MEANS

May 9, 1989

MR. SPEAKER: Your Finance, Ways and Means Committee begs leave to report that we have carefully considered and recommend for

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passage: House Bill(s) No(s). 73, 78, 593, 628, 778 (as amended), 1043, 1170 (as amended), 1189, 1200, 1273 and 1500.

BRAGG, Chairman.

Under the rules, House Bill(s) No(s). 73, 78, 593, 628, 778 (as amended), 1043; 1170 (as amended), 1189, 1200, 1273 and 1500 was/were transmitted to the Calendar and Rules Committee.

**JUDICIARY
May 9, 1989**

MR. SPEAKER: Your Judiciary Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 267, 375 (as amended), 836 and 1504.

We further recommend that, pursuant to **Rule No. 72**, House Bill(s) No(s). 428 (as amended) be referred to the Finance, Ways and Means Committee.

BUCK, Chairman.

Under the rules, House Bill(s) No(s). 267, 375 (as amended), 836 and 1504; was/were transmitted to the Calendar and Rules Committee.

Pursuant to **Rule No. 72**, the Speaker referred House Bill(s) No(s). 428 (as amended) to the Finance, Ways and Means Committee.

**STATE AND LOCAL GOVERNMENT
May 9, 1989**

MR. SPEAKER: Your State and Local Government Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 476 (as amended), 477 (as amended), 575 (as amended), 747 (as amended), 889 (as amended), 1016 (as amended), 1055 (as amended), 1149 (as amended), 1494, 1495, 1505 (as amended) and 1509; for adoption: House Resolution(s) No(s). 15; House Joint Resolution(s) No(s). 38, 92, 234, 307 and 327; and for concurrence: Senate Joint Resolution(s) No(s). 93 and 232.

We further recommend that, pursuant to **Rule No. 72**, House Bill(s) No(s). 487 (as amended), 565 (as amended) and 972 (as amended) be referred to the Finance, Ways and Means Committee.

MILLER, Chairman.

Under the rules, House Bill(s) No(s). 476 (as amended), 477 (as amended), 575 (as amended), 747 (as amended), 889 (as amended), 1016 (as amended), 1055 (as amended), 1149 (as amended), 1494, 1495, 1505 (as amended) and 1509; House Resolution(s) No(s). 15; House Joint Resolution(s) No(s). 38, 92, 234, 307 and 327; and Senate Joint

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Resolution(s) No(s). 93 and 232; was/were transmitted to the Calendar and Rules Committee.

Pursuant to Rule No. 72, the Speaker referred House Bill(s) No(s). 487 (as amended), 565 (as amended) and 972 (as amended) to the Finance, Ways and Means Committee.

REPORT OF COMMITTEE ON CALENDAR AND RULES

May 9, 1989

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Thursday, May 11, 1989: House Bill(s) No(s). 703, 122, 7, 875, 618, 736 and 1248.

PHILLIPS, Chairman.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

May 9, 1989

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Monday, May 15, 1989: House Bill(s) No(s). 679; and Senate Joint Resolution(s) No(s). 207, 208, 209, 210, 211, 212, 213 and 214.

PHILLIPS, Chairman.

REPORT OF COMMITTEE ON CALENDAR AND RULES

May 9, 1989

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Wednesday, May 17, 1989: House Bill(s) No(s). 1087, 960, 232, 263, 1010, 1011, 1012 and 1334; House Joint Resolution(s) No(s). 87, 32 and 230; Senate Joint Resolution(s) No(s). 41 and 119; and House Bill(s) No(s). 394, 288 and 1047.

PHILLIPS, Chairman.

REPORT OF CHIEF ENGROSSING CLERK

May 9, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill(s) No(s). 1343; for his action.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

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MESSAGE FROM THE GOVERNOR
May 9, 1989

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill(s) No(s). 104, 383, 417, 471, 491, 523, 672, 779, 1133, 1453, 1496 and 1499; and House Joint Resolution(s) No(s). 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 280, 281, 286, 287, 288, 308 and 320; with his approval.

DAVID H. WELLES
Counsel to the Governor

ENROLLED BILLS
May 9, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 256, 639, 645, 823, 869, 996, 1126, 1171, 1422 and 1508; and House Joint Resolution(s) No(s). 313, 317, 319, 321, 322, 323, 324, 326, 328, 330, 335, 336, 338, 339, 340, 341, 352 and 356; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

REGULAR CALENDAR

*House Resolution No. 0010 -- General Assembly, Review Or Ratification of Rules -- Approves Rules of Evidence promulgated by Supreme Court.

Further consideration of House Resolution No. 10, previously considered on April 20 and April 26, 1989, at which time it was reset to the Calendar for May 10, 1989.

Rep. Burnett moved that House Resolution No. 10 be adopted, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 93 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love,

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McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

A motion to reconsider was tabled.

House Bill No. 1129 -- Handicapped Persons -- Applies handicapped education law to all handicapped children three years of age or older. Amends TCA, Title 49, Ch. 10.

Rep. Turner (Hamilton) moved that House Bill No. 1129 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 97 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

***House Joint Resolution No. 0180** -- Memorials, Government Officials -- Urges state board of education to include one half unit in government as requirement for high school diploma.

Rep. Halteman moved that House Joint Resolution No. 180 be adopted, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 95 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

House Bill No. 0388 -- Industrial Development -- Alters method by which a municipality may delegate control over the operation of an industrial park to a commission or board. Amends TCA, Title 13.

Rep. Buck moved that House Bill No. 388 be passed on third and final consideration.

Rep. Miller moved to amend as follows:

Amendment No. 1

Amend House Bill No. 388 by deleting Sections 1 and 2 in their entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 13-16-207(a), is amended by deleting the words "of an industrial park under the declared" and by substituting instead the words "of an industrial park project under the declared".

SECTION 2. Tennessee Code Annotated, Section 13-16-207(a)(4), is amended by deleting the words "providing the industrial park" from the first sentence of the second paragraph and substituting instead the words "the project".

SECTION 3. Tennessee Code Annotated, Section 13-16-207, is amended by adding the following new language and designating the same as subsection (d):

When used in this section the words "industrial park project" or "project" mean the acquisition of land, rights, easements and franchises relating thereto and/or the provision of any roads and streets, water and sewer facilities, utilities, docks and terminals as

well as any appurtenant land that may be reasonably necessary for incidental use thereof. This subsection does not limit the authority of the committee to issue a certificate of public purpose and necessity for the purchase and/or development of a site for the location of a single industry.

SECTION 4. This act shall take effect upon becoming a law, the public welfare require it.

On motion, Amendment No. 1 was adopted.

Rep. Buck moved that House Bill No. 388 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 97 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

*House Joint Resolution No. 0085 -- Memorials, Government Officials -- Calls for joint creation of a committee on black Tennesseans in higher education; directs such committee to annually report.

Rep. Pruitt moved that House Joint Resolution No. 85 be adopted, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 90 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Buck, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis

(Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 90.

A motion to reconsider was tabled.

House Bill No. 1311 -- Highway Signs -- Authorizes certain signs in certain circumstances. Amends TCA, Title 54, Chs. 17, 20, 21.

Rep. Naifeh moved that House Bill No. 1311 be reset to the Calendar for Thursday, May 18, 1989, which motion prevailed.

House Bill No. 1111 -- Judicial Districts -- Creates additional judge for 14th judicial district in 1990. Amends TCA 16-2-506.

Rep. Curlee moved that House Bill No. 1111 be passed on third and final consideration.

Rep. Bragg moved to amend as follows:

Amendment No. 1

Amend House Bill No. 1111 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION ____. The provisions of this act shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to this act unless such funds are specifically appropriated by the general appropriations act.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Curlee moved that House Bill No. 1111, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------------------------|----|
| Ayes. | 95 |
| Noes. | 1 |
| Present and not voting. | 1 |

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

Representatives voting no were: Buck -- 1.

Representatives present and not voting were: DeBerry -- 1.

A motion to reconsider was tabled.

***House Bill No. 1199 -- Election Laws --** Revises certain voting procedures by absentee ballot. Amends TCA, Title 2, Ch. 6.

Rep. Curlee moved that House Bill No. 1199 be reset to the Calendar for Thursday, May 18, 1989, which motion prevailed.

***House Bill No. 1212 -- Pensions and Retirement Benefits --** Authorizes certain members of TCRS to continue drawing retirement under certain circumstances. Amends TCA 8-36-805.

On motion, House Bill No. 1212 was made to conform with Senate Bill No. 1354.

On motion, **Senate Bill No. 1354**, on same subject, was substituted for House Bill No. 1212.

Rep. Curlee moved that Senate Bill No. 1354 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 96 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis,

Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

House Bill No. 0392 -- Hospitals and Health Care Facilities -- Expands pilot program for reimbursing licensed residential homes for the aged. Amends TCA 12-4-320.

On motion, House Bill No. 392 was made to conform with Senate Bill No. 640.

On motion, **Senate Bill No. 640**, on same subject, was substituted for House Bill No. 392.

Rep. Buck moved that Senate Bill No. 640 be passed on third and final consideration.

Rep. Phillips moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 640 by adding the following as a new section immediately preceeding the effective date section and by redesignating that section accordingly:

Section _____. Tennessee Code Annotated, Section 12-4-320, is further amended by inserting the number "27,900" under the "not less than" column and the number "27,920" under the "nor more than" column.

Rep. Gaia moved the previous question, which motion prevailed.

On motion, Amendment No. 1 was adopted by the following vote:

| | |
|---------------------------------|----|
| Ayes. | 67 |
| Noes. | 2 |
| Present and not voting. | 6 |

Representatives voting aye were: Bell, Bittle, Buck, Burnett, Byrd, Callicott, Coffey, Crain, Cross, Curlee, Davidson, Davis (Knox), DePriest, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Harrill, Hassell, Hawkins, Head, Henry (Putnam), Henry (Roane),

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Hillis, Holt, Hubbard, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McDaniel, Miller, Moore (Shelby), Napier, Niceley, Nuber, Peroulas, Phillips, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Washington), Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 67.

Representatives voting no were: Cain, Holcomb -- 2.

Representatives present and not voting were: Armstrong, Bragg, Dixon, Naifeh, Odom, Robinson (Hamilton) -- 6.

Thereupon, Rep. Buck moved that Senate Bill No. 640, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|----------------------------------|----|
| Ayes | 79 |
| Noes | 10 |
| Present and not voting | 2 |

Representatives voting aye were: Armstrong, Bell, Bittle, Bivens, Buck, Burnett, Byrd, Clark, Collier, Crain, Cross, Curlee, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Purcell, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Whitson, Williams, Winningham, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 79.

Representatives voting no were: Cain, Callicott, Chiles, Coffey, Davidson, Dixon, Holcomb, Pruitt, Rhinehart, Wheeler -- 10.

Representatives present and not voting were: Bragg, Head -- 2.

A motion to reconsider was tabled.

House Bill No. 1371 -- Corporations, Not for Profit -- Exempts officers of non-profit corporations from personal liability for judgments against such corporations. Amends TCA, Title 48, Ch. 58, Pt. 6.

Rep. Burnett moved that House Bill No. 1371 be reset to the Calendar for Wednesday, May 24, 1989, which motion prevailed.

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House Bill No. 1385 -- Civil Procedure -- Makes Rules of Civil Procedure applicable to judicial review of any action suspending or revoking beer license. Amends TCA 57-5-109.

Rep. Burnett moved that House Bill No. 1385 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 96 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

***House Bill No. 0168 -- Handicapped Persons -- Extends protection against discrimination to employees as well as handicapped applicants. Amends TCA 8-50-103.**

Rep. Dixon moved that House Bill No. 168 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------------------------|----|
| Ayes. | 95 |
| Noes. | 0 |
| Present and not voting. | 1 |

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton),

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Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

Representatives present and not voting were: Coffey -- 1.

A motion to reconsider was tabled.

***House Bill No. 0201 -- Race Relations --** Provides for appointment of racial minorities to the health facilities commission and to the board for licensing health care facilities. Amends TCA, Title 68.

On motion, House Bill No. 201 was made to conform with Senate Bill No. 293.

On motion, **Senate Bill No. 293**, on same subject, was substituted for House Bill No. 201.

Rep. Dixon moved that Senate Bill No. 293 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 93 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

A motion to reconsider was tabled.

***House Joint Resolution No. 0030 --** Memorials, Government Officials -- Requests analysis of certain proposals to improve health care services for poor and underserved.

Rep. Dixon moved that House Joint Resolution No. 30 be adopted, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 91 |
| Noes. | 0 |

Representatives voting aye were: Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Clark, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 91.

A motion to reconsider was tabled.

House Joint Resolution No. 0031 -- General Assembly, Statement of Intent Or Position -- Expresses general support and endorsement for area health education centers program.

Rep. Dixon moved that House Joint Resolution No. 31 be adopted, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 93 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Buck, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

A motion to reconsider was tabled.

***House Joint Resolution No. 0147** -- Memorials, Government Officials -- Directs department of human services to propose

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legislation mandating governmental purchase of handicapped made products.

Rep. Dixon moved that House Joint Resolution No. 147 be adopted.

Rep. Starnes moved to amend as follows:

Amendment No. 1

AMEND House Joint Resolution No. 147 by deleting the word "mandatory" from the caption.

AND FURTHER AMEND the first resolving clause by deleting the following language:

patterned after 41 U.S.C. Sections 46-48c, which mandates procurement by

and by substituting instead the following language:

similar to the provisions of 41 U.S.C. Sections 46-48c, to establish procedures for procurement by

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Dixon moved that House Joint Resolution No. 147, as amended, be adopted, which motion prevailed by the following vote:

| | |
|----------------------------------|----|
| Ayes | 91 |
| Noes | 0 |
| Present and not voting | 1 |

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Buck, Burnett, Byrd, Cain, Callicott, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 91.

Representatives present and not voting were: Bragg -- 1.

A motion to reconsider was tabled.

***House Bill No. 1184 -- Paternity --** Allows court to enter order of protection if alleged father threatens or harms paternity petitioner. Amends TCA 36-2-103.

On motion, House Bill No. 1184 was made to conform with Senate Bill No. 1330.

On motion, **Senate Bill No. 1330**, on same subject, was substituted for House Bill No. 1184.

Rep. C. Turner (Shelby) moved that Senate Bill No. 1330 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 96 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Kent, Kernell, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

House Bill No. 1316 -- Physicians and Surgeons -- Requires applicants for license to practice medicine to attend certain training program. Amends TCA 63-6-207.

On motion, House Bill No. 1316 was made to conform with Senate Bill No. 577.

On motion, **Senate Bill No. 577**, on same subject, was substituted for House Bill No. 1316.

Rep. Good moved that Senate Bill No. 577 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 97 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

*House Bill No. 1201 -- Conservation -- Approves comprehensive management plan for Reelfoot Lake. Amends TCA 70-5-113.

On motion, House Bill No. 1201 was made to conform with Senate Bill No. 384.

On motion, Senate Bill No. 384, on same subject, was substituted for House Bill No. 1201.

Rep. Pinion moved that Senate Bill No. 384 be passed on third and final consideration.

Rep. Kernell moved to amend as follows:

Amendment No. 1

Amend Senate Bill No. 384 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Section 70-5-113, is amended by adding the following new subsection:

() The executive director, with the approval of the commission and the state building commission, is authorized and directed to renegotiate by August 1, 1989, Paragraph 4 of the 1941 lease with the U.S. Fish and Wildlife Service at Reelfoot Lake.

If the executive director has not renegotiated such paragraph of the 1941 lease with the U.S. Fish and Wildlife Service by August 1, 1989 and obtained approval of the renegotiated terms by the commission and the state building

commission, then where private and federal interests are exerting and setting up claims and interests in such lake and the islands and shores thereof, the attorney general and reporter and his designees are empowered and directed to commence to final judgment such suit or suits against all such persons and interests as may be found to own or claim any private titles, interests or property rights in such lake and the islands and shores thereof.

On motion, Amendment No. 1 was adopted.

Rep. Moore (Shelby) moved to amend as follows:

Amendment No. 2

Amend Senate Bill No. 384 by deleting from the amendatory language of the new section added by House Conservation and Environment Amendment #1 the word "August" wherever it appears and by substituting instead the word "October".

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Pinion moved that Senate Bill No. 384, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 96 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

House Bill No. 1167 -- Landlord and Tenant -- Requires landlord to itemize all damages if security deposit retained; awards court

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costs to tenant if he prevails in action to recover deposit. Amends TCA 66-28-301.

Rep. U. Jones moved that House Bill No. 1167 be reset to the Calendar for Thursday, May 18, 1989, which motion prevailed.

House Bill No. 0694 -- Utilities, Utility Districts -- Changes method of electing certain water utility district commissioners. Amends TCA 7-82-307.

Rep. Winningham moved that House Bill No. 694 be passed on third and final consideration.

Rep. Winningham moved to amend as follows:

Amendment No. 1

Amend House Bill No. 694 by deleting the amendatory language of Section 1 in its entirety and by substituting instead the following:

(f)(1) Notwithstanding the provisions of this section to the contrary, in any county having a population of not less than nineteen thousand two hundred (19,200), nor more than nineteen thousand three hundred (19,300) according to the 1980 federal census or any subsequent federal census, commissioners of any water utility district which is not directly responsible to nor a department or part of any municipality, upon the expiration of the terms of the currently serving commissioners, all subsequent commissioners shall be chosen by a vote of the customers of such water utility district pursuant to such rules and regulations as may be promulgated by the currently serving commissioners; provided, however, that any vacancies on such water utility district board between the times of elections as established by the currently serving commissioners shall be filled by the then remaining commissioners until the next election of commissioners at such time or times as the reasonable rules and regulations promulgated by the currently serving commissioners may prescribe. As used in this subsection, "customer" means any individual who receives bills for services from the water utility district and pays money for such services and who resides within the boundaries of the water utility district.

(2) Notwithstanding the provisions of subsection (a) to the contrary, in any county having a population of not less than nineteen thousand two hundred (19,200), nor more than nineteen thousand three hundred (19,300) according to the 1980 federal census or any subsequent federal census, each water utility district which is not directly responsible to nor a department or part of any municipality shall have five

(5) commissioners. The term of office of each commissioner shall be four (4) years except that the terms of the two (2) commissioners elected pursuant to subdivision (1) to fill the positions created by this act shall serve initial terms of one (1) and three (3) years, respectively. Members shall serve until their successors are elected and qualified.

(3) The provisions of this subsection shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of any county to which it may apply. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body and certified by such officer to the Secretary of State.

On motion, Amendment No. 1 was adopted.

Thereupon, Rep. Winningham moved that House Bill No. 694, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 96 |
| Noes. | 0 |

Representatives voting aye were: Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 96.

A motion to reconsider was tabled.

*House Bill No. 0192 -- Boards and Commissions -- Revises certain provisions relative to the administration of certain agencies, boards and commissions. Amends TCA, Title 4, Ch. 3, Pt. 13; Title 56, Ch. 1, Pt. 3; Titles 62, 63, 68.

On motion, House Bill No. 192 was made to conform with Senate Bill No. 576.

On motion, Senate Bill No. 576, on same subject, was substituted for House Bill No. 192.

Rep. Scruggs moved that Senate Bill No. 576 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 93 |
| Noes. | 0 |

Representatives voting aye were: Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Hillis, Hobbs, Holcomb, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 93.

A motion to reconsider was tabled.

*House Bill No. 0194 -- Boards and Commissions -- Revises expiration dates of certain certificates and licenses issued by certain boards and commissions. Amends TCA, Title 4, Ch. 3, Pt. 13; Title 56, Ch. 1, Pt. 3; Titles 62, 63.

On motion, House Bill No. 194 was made to conform with Senate Bill No. 575.

On motion, Senate Bill No. 575, on same subject, was substituted for House Bill No. 194.

Rep. Scruggs moved that Senate Bill No. 575 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 95 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby),

Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

***House Bill No. 0195** -- Boards and Commissions -- Revises certain fees prescribed by certain agencies, boards and commissions. Amends TCA, Title 4, Ch. 3, Pt. 13; Title 56, Ch. 1, Pt. 3; Titles 62, 63.

On motion, House Bill No. 195 was made to conform with Senate Bill No. 573.

On motion, **Senate Bill No. 573**, on same subject, was substituted for House Bill No. 195.

Rep. Scruggs moved that Senate Bill No. 573 be passed on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 97 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Duer, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 97.

A motion to reconsider was tabled.

House Resolution No. 0048 -- Memorials, Public Service -- Expresses appreciation to Fisk University Board of Trustees.

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Rep. Love moved that House Resolution No. 48 be re-referred to the Calendar and Rules Committee, which motion prevailed.

House Bill No. 0775 -- Teachers -- Enacts "Education Truth in Reporting and Employee Protection Act of 1989". Amends TCA, Title 49.

Rep. Bragg moved that House Bill No. 775 be reset to the Calendar for Thursday, May 18, 1989, which motion prevailed.

CONSENT CALENDAR

House Resolution No. 0051 -- Memorials, Interns and Pages -- Honors Jama Michelle Phillips, 1989 legislative intern.

House Resolution No. 0053 -- Memorials, Personal Occasion -- Congratulations J.C. and Ellen Patterson on fiftieth wedding anniversary.

House Joint Resolution No. 0384 -- Memorials, Interns and Pages -- Honors Anne-Marie Speight, 1989 legislative intern.

House Joint Resolution No. 0385 -- Memorials, Sports -- Honors Coach Mel Brown, McGavock High School Baseball Coach on his 500th win.

House Bill No. 1512 -- Carter County -- Revises hotel/motel tax. Amends Chapter 186, Private Acts of 1984.

House Bill No. 1517 -- Hardeman County -- Revises purchasing law. Repeals Chapter 239, Private Acts of 1937, as amended.

House Bill No. 1518 -- Bedford County -- Authorizes county board of education to establish opening date of school term.

House Bill No. 1520 -- Portland -- Increases number of city council meetings. Amends Chapter 568, Private Acts of 1939, as amended.

House Bill No. 1521 -- Sumner County -- Removes probate jurisdiction from general sessions court. Amends Chapter 236, Private Acts of 1982. Repeals Chapter 232, Private Acts of 1982.

House Bill No. 1526 -- Lincoln County -- Authorizes county board of education to establish opening date of school term.

House Bill No. 1527 -- Marshall County -- Authorizes county board of education to establish opening date of school term.

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House Bill No. 1528 -- Johnson City -- Changes name of Downtown Development Authority Board; increases number of commissioners. Amends Chapter 52, Private Acts of 1985.

House Bill No. 1529 -- Bradley County -- Raises litigation tax. Amends Chapter 205, Private Acts of 1980.

House Bill No. 1530 -- Hamilton County -- Sets juror compensation. Amends Chapter 347, Private Acts of 1937, as amended.

Senate Joint Resolution No. 0261 -- Memorials, Recognition and Thanks -- Commends Richard A. Staub.

Senate Joint Resolution No. 0265 -- Memorials, Retirement -- Honors W. B. Dunbar on occasion of retirement.

Senate Joint Resolution No. 0266 -- Memorials, Sports -- Honors East Robertson High School boy's basketball coach David Collie and player Carlus Groves.

Senate Joint Resolution No. 0267 -- Memorials, Sports -- Honors Coach David Collie and East Robertson High School boys' basketball team on winning TSSAA Class A state tournament.

Senate Joint Resolution No. 0268 -- Memorials, Sports -- Congratulates Warren County Junior High School freshman cheerleaders on fine season.

Senate Joint Resolution No. 0282 -- Memorials, Professional Achievement -- Congratulates Hank Williams, Jr. on being selected ACM Entertainer of the Year for third consecutive year.

Senate Joint Resolution No. 0283 -- Memorials, Recognition and Thanks -- Commends "Pete" Kirby for his work as "Bashful Brother Oswald" at the Grand Ole Opry.

Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, and that all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 94 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill,

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Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 0063** -- Landlord and Tenant -- Requires lease to state that landlord is not responsible for insurance on tenant's personal property. Amends TCA 66-28-201.

Rep. Love moved that the House refuse to recede from its action in nonconcurring in Senate Amendment(s) No(s). 1 to House Bill No. 63, which motion prevailed.

CONFERENCE COMMITTEE APPOINTED

Pursuant to Rule No. 73, Representative Love moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on House Bill No. 63, which motion prevailed.

The Speaker appointed Representatives Love, Burnett, L. Turner as the House members of the Conference Committee on House Bill No. 63.

HOUSE ACTION ON SENATE AMENDMENTS, CONTINUED

***Senate Bill No. 0551** -- Public Service Commission -- Sets schedule of increases for certain motor carrier permits. Amends TCA 65-15-116.

Rep. Yelton moved that Senate Bill No. 551 be reset to the Message Calendar for Wednesday, May 17, 1989, which motion prevailed.

MOTION TO RECONSIDER

***Senate Bill No. 0860** -- Municipal Government -- Places certain requirements on members of municipal civil service boards. Amends TCA, Title 6, Ch. 54.

Rep. Armstrong moved that the motion to reconsider Senate Bill No. 860 be lifted from the table, which motion prevailed.

Rep. Armstrong moved that the House reconsider its action in passing Senate Bill No. 860 on third and final consideration, as amended, which motion prevailed.

On motion, the House reconsidered its action in adopting Amendment No. 1. On motion, Amendment No. 1 was withdrawn.

Rep. Armstrong moved to amend as follows:

Amendment No. 2

AMEND Senate Bill No. 860 by adding the following language as a new paragraph immediately following the amendatory language of Section 1:

Notwithstanding any provision of any municipal charter or ordinance to the contrary, all members of any municipal civil service board in any county with a population greater than 300,000, created by ordinance or charter shall be appointed by the mayor of the municipality which the board serves. Such appointments shall be subject to confirmation by the municipal legislative body. At least one (1) member shall be a woman and one (1) member shall be a minority citizen. The provisions of this section shall not apply to municipalities with a Mayor-Alderman form of government.

AND FURTHER AMEND by deleting Section 2 in its entirety and substituting instead the following:

This act shall not abridge the term of any incumbent member of a board affected by its provisions, but upon the expiration of any term, or upon any current vacancy at the time this law becomes effective, or any future vacancy on such board after the effective date of this act, such vacancy shall be filled in accordance with its terms.

On motion, Amendment No. 2 was adopted.

Thereupon, Rep. Armstrong moved to repass Senate Bill No. 860, as amended, on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 94 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson,

Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Gaia, Givens, Good, Gunnels, Halteman, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

MOTION TO RECONSIDER

***Senate Bill No. 1037** -- Wildlife Resources Commission -- Adds special director to wildlife resources commission; revises fishing and hunting license fees for disabled veterans. Amends TCA, Title 70.

Rep. Yelton moved that the motion to reconsider Senate Bill No. 1037 be lifted from the table, which motion prevailed.

Rep. Yelton moved that the House reconsider its action in passing Senate Bill No. 1037 on third and final consideration, as amended, which motion prevailed.

On motion, the House reconsidered its action in adopting Amendment No. 1. On motion, Amendment No. 1 was withdrawn.

Thereupon, Rep. Yelton moved to repass Senate Bill No. 1037, which motion prevailed by the following vote:

| | |
|-----------|----|
| Ayes..... | 94 |
| Noes..... | 0 |

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby),

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Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

A motion to reconsider was tabled.

House Bill No. 1284 -- Pest Control -- Authorizes commissioner of agriculture to carry out program to eradicate boll weevil.

Senate Amendment No. 3

Amend House Bill No. 1284 by deleting in Section 13, subsections (e) and (f) in their entirety and substituting instead the following:

(e) The assessments collected by the department under this act, less such amounts as may be authorized in the general appropriations act for administration of this act, shall be promptly remitted to the certified cotton growers' organization under such terms and conditions as the commissioner may deem necessary to ensure that such assessments are used in a sound program of eradication or suppression of the boll weevil or other cotton pests.

(f) There is hereby created within the state treasury a fund known as the certified cotton growers' organization fund. All funds received, appropriated or otherwise coming under this act shall be deposited into the state treasury to the credit of the certified cotton growers' organization. The commissioner shall administer the fund and make payments from the fund in the same manner as other state agencies for the administration and implementation of the purposes of this act. Amounts in the fund at the end of any fiscal year shall not revert to the general fund but shall remain available to the organization for the purposes as set forth in this act. Should the eradication program be discontinued or certification of the cotton growers' organization be revoked by the commissioner, any funds remaining in its hands at such time may be paid out by the commissioner for existing obligations and for closing the affairs of the certified cotton growers' organization. Any funds remaining over and above those required for completing the business of the cotton growers' organization shall be paid by the commissioner to the contributing growers on a pro rate basis.

Rep. DePriest moved that the House concur in Senate Amendment(s) No(s). 3, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 95 |
| Noes. | 0 |

Representatives voting aye were: Anderson, Armstrong, Bell,

Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 95.

A motion to reconsider was tabled.

MOTION TO RECONSIDER

*Senate Bill No. 0270 -- Architects and Engineers -- Grants reciprocity to certain architects, engineers, and landscape architects. Amends TCA 62-2-304.

Rep. Wheeler moved that the motion to reconsider Senate Bill No. 270 be lifted from the table, which motion prevailed.

Rep. Wheeler moved that the House reconsider its action in passing Senate Bill No. 270 on third and final consideration, as amended, which motion prevailed.

On motion, the House reconsidered its action in adopting Amendment No. 1. On motion, Amendment No. 1 was withdrawn.

Rep. Wheeler moved repass Senate Bill No. 270 on third and final consideration, which motion prevailed by the following vote:

| | |
|---------------|----|
| Ayes. | 94 |
| Noes. | 1 |

Representatives voting aye were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Gaia, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes,

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Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray -- 94.

Representatives voting no were: Crain -- 1.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

HOUSE BILL REFERRED

Rep. Phillips moved that, pursuant to Rule No. 72, House Bills Nos. 741 and 754 be recalled from the Calendar and Rules Committee and referred to the Finance, Ways and Means Committee, which motion prevailed.

HOUSE BILL REFERRED

Rep. Rhinehart moved that House Joint Resolution No. 333 be recalled from the Commerce Committee and referred to the Calendar and Rules Committee, which motion prevailed.

NOTICE TO ACT ON SENATE AMENDMENTS

Pursuant to Rule No. 59, the sponsor(s) gave notice of intent to consider the following measure(s) from the Senate on Monday, May 15, 1989:

Senate Bill No. 378: Rep. Naifeh.

HOUSE BILL REFERRED

Rep. West moved that House Joint Resolution No. 360 be recalled from the Transportation Committee and referred to the Judiciary Committee, which motion prevailed.

HOUSE BILL REFERRED

Rep. Scruggs moved that Senate Joint Resolution No. 173 be recalled from the Commerce Committee and referred to the Finance, Ways and Means Committee, which motion prevailed.

RULES SUSPENDED

Rep. DePriest moved to suspend Rule No. 81(1), relative to the time for placing bills on notice in Committee, so that House

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Resolution No. 47 can be heard by the Conservation and Environment Committee, which motion prevailed.

HOUSE BILL REFERRED

Rep. DePriest moved that House Joint Resolution No. 390 be recalled from the Transportation Committee and referred to the Conservation and Environment Committee, which motion prevailed.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 741: Rep(s). Winningham added as prime sponsor(s).

House Bill No. 1087: Rep(s). Crain added as prime sponsor(s).

House Bill No. 1523: Rep(s). Buck added as prime sponsor(s).

House Joint Resolution No. 30: Rep(s). Armstrong added as prime sponsor(s).

House Joint Resolution No. 311: Rep(s). Naifeh added as prime sponsor(s).

House Joint Resolution No. 377: Rep(s). Naifeh added as prime sponsor(s).

House Joint Resolution No. 385: Rep(s). Clark and Ellis added as prime sponsor(s).

INTRODUCTION OF RESOLUTIONS

House Resolution No. 0054 -- Memorials, Interns and Pages -- Honors Kimmy Yvette Jefferson, 1989 legislative intern. by *Ellis, *Shirley, *Herron.

The Speaker referred House Resolution No. 54 to the Calendar and Rules Committee.

House Joint Resolution No. 0388 -- Memorials, Interns and Pages -- Honors Linda Dianne Lymon, 1989 legislative intern. by *Robinson Robb, *Yelton, *Napier.

The Speaker referred House Joint Resolution No. 388 to the Calendar and Rules Committee.

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House Joint Resolution No. 0389 -- Memorials, Professional Achievement -- Congratulates Joseph S. York on being named Fayette County "Teacher of the Year" grades 9-12. by *Byrd, *Stallings, *Naifeh.

The Speaker referred House Joint Resolution No. 389 to the Calendar and Rules Committee.

House Joint Resolution No. 0391 -- Memorials, Interns and Pages -- Honors Gayla Ann Kirksey, 1989 legislative intern. by *Byrd, *King.

The Speaker referred House Joint Resolution No. 391 to the Calendar and Rules Committee.

House Joint Resolution No. 0392 -- Memorials, Recognition and Thanks -- Honors Archie Vernon Dunn. by *Herron.

The Speaker referred House Joint Resolution No. 392 to the Calendar and Rules Committee.

House Joint Resolution No. 0393 -- Memorials, Condolence -- Honors memory of G. Reece Gibson. by *Givens.

The Speaker referred House Joint Resolution No. 393 to the Calendar and Rules Committee.

House Joint Resolution No. 0395 -- Memorials, Interns and Pages -- Recognizes Mary A. Warnecke, 1989 legislative intern. by *Murray, *Stallings, *Ellis, *Robinson Robb.

The Speaker referred House Joint Resolution No. 395 to the Calendar and Rules Committee.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Senate Joint Resolution No. 0269 -- Memorials, Public Service -- Honors P.K. Seidman for contributions to Memphis and Tennessee.

The Speaker referred Senate Joint Resolution No. 269 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0271 -- Memorials, Condolence -- Honors memory of Jack E. Thompson, Jr., gunner's mate aboard USS Iowa.

The Speaker referred Senate Joint Resolution No. 271 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0272 -- Memorials, Sports -- Honors Coach Jim Crowder on selection as Tennessee Coach of the Year.

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The Speaker referred Senate Joint Resolution No. 272 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0276 -- Memorials, Recognition and Thanks -- Honors Buddy Killen, renown music publisher.

The Speaker referred Senate Joint Resolution No. 276 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0280 -- Memorials, Interns and Pages -- Honors Paul Krivecka, 1989 legislative intern.

The Speaker referred Senate Joint Resolution No. 280 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0281 -- Memorials, Professional Achievement -- Congratulates Pat Rowland, Shelby County Teacher of the Year.

The Speaker referred Senate Joint Resolution No. 281 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0284 -- Memorials, Interns and Pages -- Honors Clarke Brannen Futch, 1989 legislative intern.

The Speaker referred Senate Joint Resolution No. 284 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0285 -- Memorials, Congratulations -- Congratulates Warren County Senior High School Junior ROTC girls' drill team on fine showing in National Drill Team competition.

The Speaker referred Senate Joint Resolution No. 285 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0286 -- Memorials, Sports -- Honors Coach Mike Rader and Happy Valley High School girls' basketball team, TSSAA Class AA runner-up.

The Speaker referred Senate Joint Resolution No. 286 to the Calendar and Rules Committee.

Senate Joint Resolution No. 0293 -- Memorials, Public Service -- Honors Troopers Richard Austin and Fidencio Medina for their role in confiscation of cocaine in Dickson County.

The Speaker referred Senate Joint Resolution No. 293 to the Calendar and Rules Committee.

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RESOLUTIONS LYING OVER

Senate Joint Resolution No. 0075 -- General Assembly, Studies -- Continues special joint committee to study tax system created by SJR 334.

The Speaker referred Senate Joint Resolution No. 75 to the Finance, Ways and Means Committee.

Senate Joint Resolution No. 0102 -- Memorials, Government Officials -- Directs Department of Transportation and Office of Minority Business Enterprise to effect expansion of training programs for disadvantaged business enterprises.

The Speaker referred Senate Joint Resolution No. 102 to the Commerce Committee.

Senate Joint Resolution No. 0111 -- Memorials, Government Officials -- Directs Office of Minority Business Enterprises to provide additional assistance to disadvantaged business enterprises.

The Speaker referred Senate Joint Resolution No. 111 to the Commerce Committee.

REPORT OF DELAYED BILLS COMMITTEE May 10, 1989

Pursuant to Rule No. 78, having received the approval of the legislative delegation, we the undersigned members of the Delayed Bills Committee have approved the following general bill: House Bill No. 1534.

Ed Murray, Speaker
Jimmy Naifeh
John Chiles, Jr.

INTRODUCTION OF BILLS

House Bill No. 1533 -- Lexington -- Provides for staggered terms of office for board of aldermen. by *McDaniel.

Passed first consideration.

***House Bill No. 1534** -- Election Laws -- Revises provisions relative to punch card ballots in Dyer County. Amends TCA 2-5-206. by *Holt.

Passed first consideration.

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SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 0103 -- Forest and Forest Products -- Continues existence of 1986 Wetland Acquisition Fund until funds on deposit are expended after tax revenue is repealed. Amends Chapter 833, Public Acts of 1986. Amends TCA, Title 11, Ch. 14, Pt. 4, 67-4-409.

Held on the Clerk's desk pending third consideration of companion House Bill No. 73.

Senate Bill No. 0269 -- Savings and Loan Associations -- Enacts "Tennessee Mutual Savings and Loan Holding Company Act".

Held on the Clerk's desk pending third consideration of companion House Bill No. 798.

Senate Bill No. 0470 -- Accountants -- Revises certain provisions relative to required examinations to practice accountancy. Amends TCA, Title 62, Ch. 1.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1047.

Senate Bill No. 1014 -- Taxes, Income -- Enacts Volunteer State Investment Fund Act of 1989. Amends TCA, Title 67, Ch. 2, Pt. 1.

Held on the Clerk's desk pending third consideration of companion House Bill No. 778.

Senate Bill No. 1315 -- Teenage Pregnancy -- Establishes responsible teen parent pilot project. Amends TCA, Titles 4, 39, 49, 68, 71.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1185.

Senate Bill No. 1317 -- Teenage Pregnancy -- Provides certain state sponsored regional conferences be utilized to increase awareness of services available to address problems of teen pregnancy. Amends TCA, Titles 3, 4, 33, 37, 49, 50, 68, 71.

Held on the Clerk's desk pending third consideration of companion House Bill No. 1328.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 1531 -- Henderson -- Passed second consideration and held on the Clerk's desk pending approval by local delegation.

House Bill No. 1532 -- School Districts, Special -- Passed second consideration and held on the Clerk's desk pending approval by local delegation.

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GENERAL WELFARE

May 10, 1989

MR. SPEAKER: Your General Welfare Committee begs leave to report that we have carefully considered and recommend for passage: House Bill(s) No(s). 119 (as amended), 257 (as amended), 611 (as amended) and 971 (as amended); for adoption: House Joint Resolution(s) No(s). 380; for concurrence: Senate Joint Resolution(s) No(s). 78 and 176.

We further recommend that, pursuant to **Rule No. 72**, House Bill(s) No(s). 1524 (as amended) be referred to the Finance, Ways and Means Committee.

We further report that the following was/were considered but failed to pass: House Bill No. 1119.

STARNES, Chairman.

Under the rules, House Bill(s) No(s). 119 (as amended), 257 (as amended), 611 (as amended) and 971 (as amended); House Joint Resolution(s) No(s). 380; and Senate Joint Resolution(s) No(s). 78 and 176; was/were transmitted to the Calendar and Rules Committee.

Pursuant to **Rule No. 72**, the Speaker referred House Bill(s) No(s). 1524 (as amended) to the Finance, Ways and Means Committee.

SIGNED

May 10, 1989

The Speaker announced that he had signed the following: House Bill(s) No(s). 256, 639, 645, 823, 869, 996, 1126, 1171, 1422 and 1508; and House Joint Resolution(s) No(s). 313, 317, 319, 321, 322, 323, 324, 326, 328, 330, 335, 336, 338, 339, 340, 341, 352 and 356.

MESSAGE FROM THE SENATE

May 10, 1989

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 344, 345, 346, 347, 348, 349 and 351; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

May 10, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 168, 388, 1111,

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1129 and 1385; and House Joint Resolution(s) No(s). 30, 31, 85, 147 and 180; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENGROSSED BILLS

May 10, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 694; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

ENGROSSED BILLS

May 10, 1989

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 1512, 1517, 1518, 1520, 1521, 1526, 1527, 1528, 1529 and 1530; and House Joint Resolution(s) No(s). 384 and 385; and find same correctly engrossed and ready for transmission to the Senate.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

May 10, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1046; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

May 10, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 83; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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MESSAGE FROM THE SENATE
May 10, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 256, 626, 639, 645, 652, 823, 869, 996, 1079, 1110, 1126, 1171, 1422, 1479, 1486, 1501, 1503, 1506, 1508 and 1510; also, House Joint Resolution(s) No(s). 108, 123, 310, 313, 314, 317, 318, 319, 321, 322, 323, 324, 326, 328, 330, 331, 332, 335, 336, 338, 339, 340, 341, 343, 352, 356 and 386; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
May 10, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1225; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
May 10, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 150, 156, 179, 242, 292, 296, 300, 379, 487, 500, 520, 569, 635, 676, 720, 728, 734, 857, 877, 908, 1118, 1147, 1204, 1219, 1345, 1364, 1406, 1426 and 1439; also, Senate Joint Resolution(s) No(s). 201, 202, 203, 204, 205, 206, 215, 238, 239, 241, 242, 245, 248, 250, 251, 253, 254, 255, 256, 258, 259, 260 and 273; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE
May 10, 1989

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 357, 361 and 524; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

WEDNESDAY, MAY 10, 1989 - FORTY-FOURTH LEGISLATIVE DAY

MESSAGE FROM THE SENATE

May 10, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 190, 259, 392, 515, 553, 585 and 668; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

***Senate Bill No. 0190** -- Taxes, Real Property -- Increases fee paid to county registers for issuing receipts on transfer taxes. Amends TCA 67-4-409.

***Senate Bill No. 0259** -- Consumer Protection -- Prohibits false or misleading sales or advertising techniques relative to water treatment device sales.

Senate Bill No. 0392 -- Employees, Employers -- Corrects engrossing error in Right to Know Law. Amends TCA, Title 50.

***Senate Bill No. 0515** -- Unemployment Compensation -- Revises purpose and funding of special administrative fund and unemployment compensation fund. Amends TCA 50-7-503.

***Senate Bill No. 0553** -- Insurance Companies, Agents, Brokers -- Requires certification of course of study prior to licensure as an insurance agent or limited insurance representative. Amends TCA, Title 56, Ch. 6.

***Senate Bill No. 0585** -- Physicians and Surgeons -- Increases charges for medical reports and records. Amends TCA 50-6-204.

***Senate Bill No. 0668** -- Correctional Programs -- Enacts the "Development District Correction Act".

MESSAGE FROM THE SENATE

May 10, 1989

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 96, 105, 145, 198, 221, 224, 287 and 288; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

***Senate Joint Resolution No. 0096** -- Memorials, Congress -- Urges Congress to respect Tenth Amendment.

***Senate Joint Resolution No. 0105** -- Memorials, Government Officials -- Urges governor to establish on-going task force on commuter rail services.

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***Senate Joint Resolution No. 0145** -- General Assembly, Studies
-- Creates special joint committee to study licensing of contractors and subcontractors.

Senate Joint Resolution No. 0198 -- General Assembly, Studies --
Creates joint committee to study lien laws.

***Senate Joint Resolution No. 0221** -- General Assembly, Studies
-- Creates special joint committee to study standards for counties to designate, accept, build and close county roads.

***Senate Joint Resolution No. 0224** -- General Assembly, Studies
-- Creates special committee to study fair employment practices laws.

Senate Joint Resolution No. 0287 -- Memorials, Interns and Pages
-- Honors Carolyn M. Dowd, 1989 legislative intern.

***Senate Joint Resolution No. 0288** -- Memorials, Public Service
-- Commends Reverend Tom Melzoni.

**REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
May 10, 1989**

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Monday, May 15, 1989: House Joint Resolution(s) No(s). 207; Senate Joint Resolution(s) No(s). 40 and 63; and House Joint Resolution(s) No(s). 177.

PHILLIPS, Chairman.

**REPORT OF COMMITTEE ON CALENDAR AND RULES
May 10, 1989**

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Wednesday, May 17, 1989: House Bill(s) No(s). 486 and 24; House Joint Resolution(s) No(s). 208, 6 and 7.

PHILLIPS, Chairman.

**REPORT OF COMMITTEE ON CALENDAR AND RULES
May 10, 1989**

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar

WEDNESDAY, MAY 10, 1989 - FORTY-FOURTH LEGISLATIVE DAY

for Thursday, May 18, 1989: House Joint Resolution(s) No(s). 80; House Bill(s) No(s). 265; and House Joint Resolution(s) No(s). 25, 94, 97, 101, 129, 131, 205, 226, 240, 243, 252 and 325.

PHILLIPS, Chairman.

**LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES
Wednesday, May 10, 1989**

In accordance with Rule No. 48, the following local bill(s), having received authorization for passage by the local legislative delegation, was/were transmitted to the Calendar and Rules Committee: House Bill(s) No(s). 1531.

**REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
May 10, 1989**

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bill(s) and/or resolution(s) on the Consent Calendar for Thursday, May 11, 1989: House Resolution(s) No(s). 54; House Joint Resolution(s) No(s). 388, 389, 391, 392, 393 and 395; House Bill(s) No(s). 1531; and Senate Joint Resolution(s) No(s). 269, 271, 272, 276, 280, 281, 284, 285, 286 and 293.

PHILLIPS, Chairman.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Anderson, Armstrong, Bell, Bittle, Bivens, Bragg, Buck, Burnett, Byrd, Cain, Callicott, Chiles, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Ellis, Gaia, Garrett, Givens, Good, Gunnels, Halteman, Harrill, Hassell, Haun, Hawkins, Head, Henry (Putnam), Henry (Roane), Herron, Hillis, Hobbs, Holcomb, Holt, Hubbard, Huskey, Jackson, Jones, R. (Shelby), Jones, U. (Shelby), Kent, Kernell, King, Kisber, Love, McAfee, McDaniel, Miller, Moody, Moore (Lawrence), Moore (Shelby), Naifeh, Napier, Niceley, Nuber, Odom, Peroulas, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sipes, Stallings, Stamps, Starnes, Turner (Hamilton), Turner, C.

WEDNESDAY, MAY 10, 1989 - FORTY-FOURTH LEGISLATIVE DAY

(Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Yelton, Mr. Speaker Murray
-- 97.

On motion of Rep. Naifeh, the House adjourned until 9:00 a.m.,
Thursday, May 11, 1989.